

SCIENCE AND TECHNOLOGY COMMITTEE

First Special Report

THE GOVERNMENT'S RESPONSE TO THE SCIENCE AND TECHNOLOGY COMMITTEE'S FOURTH REPORT, SESSION 2000-01, ON THE SCIENTIFIC ADVISORY SYSTEM

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The Science and Technology Committee

The Science and Technology Committee is appointed to examine on behalf of the House of Commons the expenditure, administration and policy of the Office of Science and Technology and its associated public bodies. Its constitution and powers are set out in House of Commons Standing Orders Nos. 137A and 152.

The Committee has a maximum of eleven members, of whom the quorum for any formal proceedings is three. The members of the Committee are appointed by the House and unless discharged remain on the Committee until the next dissolution of Parliament. The present membership of the Committee is as follows:¹

Mr Parmjit Dhanda MP (*Labour, Gloucester*)
Dr Ian Gibson MP (*Labour, Norwich North*)
Mr Tom Harris MP (*Labour, Glasgow Cathcart*)
Mr David Heath MP (*Liberal Democrat, Somerton and Frome*)
Mr Mark Hoban MP (*Conservative, Fareham*)
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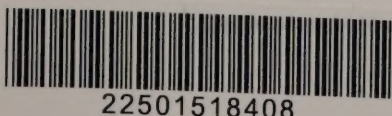
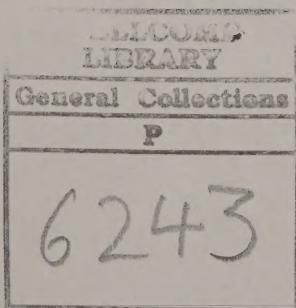
On 14 November 2001, the Committee elected Dr Ian Gibson its Chairman.

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The Committee may meet at any time (except when Parliament is prorogued or dissolved) and at any place within the United Kingdom. The Committee may meet concurrently with other committees or sub-committees of either House of Parliament for the purposes of deliberating or taking evidence, and may exchange documents and evidence with any of these committees or sub-committees. The Committee may meet with other committees of the House of Commons for the purpose of considering draft reports.

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All correspondence should be addressed to the Clerk of the Science and Technology Committee, Committee Office, 7 Millbank, London SW1P 3JA. The telephone number for general inquiries is: 020 7219 2794; the Committee's e-mail address is: scitechcom@parliament.uk.



FIRST SPECIAL REPORT

The Science and Technology Committee has agreed to the following Special Report:—

THE GOVERNMENT'S RESPONSE TO THE SCIENCE AND TECHNOLOGY COMMITTEE'S FOURTH REPORT, SESSION 2000-01, ON THE SCIENTIFIC ADVISORY SYSTEM

1. The Science and Technology Committee reported to the House on The Scientific Advisory System in its Fourth Report of Session 2000-01, published on 21 March 2001 as HC 257.

2. The Government's response to the Committee's Report was received on 9 October 2001 in the form of a memorandum to the Committee. It is reproduced as an Appendix to this Special Report.

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APPENDIX

1. The Government recognises the extremely valuable and important role played by its scientific advisors and by its scientific advisory committees. It therefore welcomes this Report, together with those on the associated case studies. It is grateful to the Committee for taking the time to consider this important subject in such depth.

2. As the Committee itself notes, its Inquiry took place against a background of other recent reports and publications. The Government's White Paper on Science, "Excellence and Opportunity", published in July 2000, underlines the increasingly important role which science plays in government policy making, and sets out the Government's commitment to an independent and transparent framework for science. Its launch was accompanied by the publication of "*Guidelines 2000*" on Scientific Advice and Policy Making. *Guidelines 2000* stresses the need for Departments to ensure their procedures for obtaining advice are open and transparent, and that evidence on which advice is based should be published.

3. In October 2000 the Report of the BSE Inquiry conducted by Lord Phillips of Worth Matravers ("the Phillips Report") was published. This contained many 'lessons learned' in relation to obtaining and using scientific advice. In the same month the House of Lords Science and Technology Select Committee published its report, "Science and Society".

4. In February 2001 the Government published its Interim Response ("the Interim Response") to the Phillips Report. In that Interim Response the Government again reaffirmed its commitment to a policy of open and transparent working.¹

5. In March, the Government published its second round consultation document on the proposed Code of Practice for scientific advisory committees ("the proposed Code"). Later this year the Government intends to publish its final response to the Phillips Report, and to promulgate the final version of the Code. It also wants to begin drawing up "Chief Scientific Adviser letters" ("CSA letters") aimed at setting out general standards of good practice for Departments in the procurement of scientific advice and in research management.

6. The Government welcomes the Committee's comments on, and broad endorsement of, many of the steps the Government has taken in recent years to improve openness, transparency and accountability in the way it uses scientific advice. The Government will want to reflect on the Committee's report and case studies in considering what more needs to go into the Code and other guidance. The points will be further reviewed, particularly in the light of responses to the public consultations on the Code of Practice and the interim Response, in the development of a comprehensive response to the Phillips Report, which the Government expects to publish in the Autumn.

1) We commend to other Departments the DETR's example of providing a one year update on progress on implementing the Committee's recommendations. (Paragraph 13)

7. The Government agrees that progress reports on implementation can have an important part to play in updating the Committee on particular initiatives. The OST will give the Committee feedback on implementation of the recommendations agreed in this response.

¹ Openness: p 16, *Interim Response to the Report of the BSE Inquiry*, The Stationery Office, February 2001.

Scientific Advice to Government

2) We recommend that the Government give more prominence to the activities of the Council for Science and Technology and respond to its recommendations. (Paragraph 14)

8. The Government greatly values the work and advice of the Council, which is promulgated widely, both within and outside government. The Council has made a distinctive and influential contribution to science, technology and innovation policies, as recognised, for example, in the two White Papers, entitled *Excellence and Opportunity* and *Opportunity for in all a world of change*, which contained references to the Council's reports and work.

9. The Government is therefore pleased to take this further opportunity to acknowledge the Council's progress and performance following its re-establishment in 1998. The Council's standing and profile will continue to strengthen as its role and work develops, and its interactions with external organisations become more extensive.

10. As the Committee has noted, the Council's work and advice is published openly on its web site in considerable detail. Additionally, printed copies of its substantive reports are distributed to all interested parties within and outside Government. Furthermore, the Government normally issues a press release when such reports are published.

11. The Government's regular practice is to respond to each of these reports and to publish the responses on the Council's web site. Normally, the timing for these responses is discussed and agreed with the Council so that it can take into account relevant policy developments. The Council is also provided with the opportunity to consider and discuss the responses, and to determine any further follow up actions that its independent members might wish to take for monitoring or other purposes.

12. As an example, in relation to the Council's wide ranging report of March 2000, *Technology Matters*, the Government provided its draft response for consideration by members at their meeting on 5 March 2001. This timing had been agreed previously by members, so that they could take account of the Skills, Enterprise and Innovation White Paper, *Opportunity for all in a world of change*, which was published a few weeks before. This response, along with the Council's Annual Report for the year ending March 2001, has now been published on its website.

3) We recommend the proposal that the Chief Scientific Adviser will write regular "good practice" letters to Permanent Secretaries, and that these will be made public. We recommend that the Government also revise and reissue the *Guidelines 2000* in the light of the Phillips Report and our recommendations. (Paragraph 17)

13. The Government notes the Committee's support for the proposal that CSA should produce regular good practice letters.

14. Many of the general themes underlying this part of the Phillips report had already been taken into account when drawing up *Guidelines 2000*, and the Government notes that they have also found echo in the Committee's report.

15. The Government agrees that documents such as *Guidelines 2000* need to be kept under review if they are to remain current and relevant. *Guidelines 2000* is just some 12 months old. The Government sees the main priority at this stage to get the structures and mechanisms in place to underpin implementation.

16. A number of ideas emerging from Phillips were largely concerned with the handling of relations between government and its scientific advisory committees. Such points might need more regular updating than the general principles. Hence the proposal set out in the Interim Response for a more flexible system of "Chief Scientific Adviser letters", which could be updated as and when necessary.

4) The OST should be more active in encouraging consistency of standards in science policy across Whitehall. ... It is important that Ministers in all relevant Departments should support the OST and strengthen it in its role of co-ordinating science policy across Government. (Paragraph 18)

17. As he has said in presentations to the Committee, the Chief Scientific Adviser shares the view that there is more that could usefully be done to pursue consistency of standards in science policy across Whitehall, and he will be looking at ways to deliver this. The OST is already active in this field. For example, it has provided the secretariat for the Ministerial Science Group (MSG). OST co-ordinated the production of the White Paper *Excellence and Opportunity*. It revised and produced a new edition of *Guidelines 2000*. It has led on working up the proposed Code of Practice for Scientific Advisory Committees. It published the CST Implementation Plan and led on the development of departmental science and innovation strategies. It contributed substantially to the Government's Interim Response to the Phillips report. It is in the lead in reviewing government's need for scientific expertise.

5) We urge the Government to publish the *Code of Practice for Scientific Advisory Committees* as soon as possible. (Paragraph 19)

18. The Government is keen to move forward with the proposed Code, and agrees that it should be published as soon as possible.

19. A second round of consultation on the proposed Code began on 30 March. In line with Cabinet Office guidance on written consultations, this had to run for a period of at least 12 weeks, ending on 26 June. The final text not only needs to take into account the responses to this consultation but also the wider context of the Government's response to Phillips, which is expected later this year. The Government is planning on issuing the final version of the Code in autumn of this year.

6) It is essential that Chief Scientists in Departments should have direct day-to-day access to the Chief Scientific Adviser. (Paragraph 21)

20. As the Committee notes, this issue was previously raised by the Committee in their Fifth Report of Session 1999-2000 on *The Government's Expenditure on Research and Development: The Forward Look*. In its response to the Report, the Government underlined the fact that Departmental Chief Scientists can, and do, speak to the CSA at any time they wish to do so. They do not have to have access to the CSA through their Permanent Secretary. The CSA also maintains a more formal but regular dialogue with Departmental Chief Scientists and equivalents through CSAC, the Chief Scientific Adviser's Committee. These meetings take place regularly both formally and informally.

7) We recommend that Government publish an annual list of scientific advisory committees, with details of membership (including registered interests) and terms of reference, perhaps in the annual report on the implementation of the Guidelines. (Paragraph 29)

21. The Government agrees it is important that everyone should be clear about which committees will be following the new Code of Practice. All scientific advisory committees will follow the Code. However the Code may also be adopted by a broader range of committees and it is the Government's intention to publish details of all the committees which have become "Code Committees", and to update that information as and when necessary.

22. The text of the proposed Code issued for the second round of consultation would specifically require all "Code Committees" to produce a regular annual report. This would include details of members' interests and terms of reference. There is a wide range of such committees giving scientific advice to Government. Many of these are Non-Departmental Public Bodies (NDPBs) and are subject to the requirements of NDPBs to publish details of their

membership and to keep an up-to-date register of interests that should be open to the public. They have to ensure that details of how access can be obtained are available widely and include such details in annual reports.² Increasingly the registers of interests themselves are published in annual reports – as are a committee's terms of reference. The Cabinet Office also publishes an annually updated report on public bodies which includes a summary of committees' terms of reference. The current document, *Public Bodies 2000*, is published by the Stationery Office and is also available on the Cabinet Office website.

23. Apart from advisory committees which are already NDPBs, a number of other committees not formally constituted as NDPBs but who offer scientific advice may also become "Code Committees". The draft text of the proposed Code issued for the second round of consultation would require such committees to follow similar rules to NDPBs and to have regard to NDPB guidance, whether or not they are formally constituted as NDPBs. Hence they would be subject to the same publication requirements as NDPBs.

24. As to whether this material should be added to the Implementation Report, the Government recognises the arguments for this, but considers on balance that there would be little value in adding to the Report substantial quantities of information already in the public domain, and easily available elsewhere.

8) The status accorded different advisory bodies at present appears haphazard. Careful consideration should be given to the formal status of new advisory bodies before they are established. (Paragraph 30)

25. The Committee may be aware that the Government has established and published criteria for the establishment of new non-departmental public bodies (NDPBs) in *Non-Departmental Public Bodies: A Guide for Departments*, Cabinet Office, April 2000. It also publishes a listing of task forces, ad hoc advisory groups and reviews every six months. The existence of these bodies is kept under review and those that continue for more than two years are considered for NDPB status.

26. The Government does of course give careful consideration to the status of all new bodies before they are established. Indeed, it is often difficult to establish a new body unless and until the question of its formal status has been definitively settled. The Committee refers in particular to three bodies, the Agriculture and Environment Biotechnology Commission (AEBC), the Human Genetics Commission (HGC), and the Food Standards Agency (FSA). The AEBC and the HGC both have a remit to facilitate public debate, and both provide advice to Ministers. The Food Standards Agency exercises quite different statutory powers, and thus has to have a statutory constitution.

9) We welcome the new strategic advisory bodies. ... It is essential that Ministers do not hide behind these bodies on issues of policy, for it is Ministers who are responsible for policy decisions. (Paragraph 32)

27. The Government agrees. It established the new strategic advisory bodies to consult with the public and stakeholders and to provide it with advice on the broader strategic, social and ethical aspects of biotechnological developments. As the Committee notes, it is Ministers who are responsible for policy decisions.

10) The Government should press for guidelines on scientific advice across the board, along the lines of the OST guidelines, to be adopted at European Commission level. (Paragraph 33)

² *Guidance on Codes of Practice for Board Members of Public Bodies*: Cabinet Office (OPS), January 1997.

28. The Government agrees. The Minister for Science, as well as the present and previous Chief Scientific Advisers (Professor David King and Sir Robert May), and other officials, have all taken opportunities to share the UK's experience on developing a more open regulatory process through the implementation of the OST guidelines. The initiative for any European-level action rests of course with the Commission. The Commission have produced a Service Document on Science, Society and Citizens of Europe which mentions the need for all advisory and decision making bodies in areas involving science to adopt an open and transparent approach to their work. There is a specific reference to the Canadian report "Scientific Advice for Governmental Effectiveness" (which itself was based on the May Guidelines) and the need to learn from the experiences of other countries.

29. The Commission is also currently preparing a *White Paper on European Governance*. The Government believes that the issues of science and governance will need to be fully considered in this paper, and has conveyed that message to the Commission.

11) We reiterate the recommendation made in our climate change case study Report, that the Government actively promote the IPCC model of scientific advice in other policy areas of global significance in which there is scientific uncertainty. (Paragraph 34)

30. The Government agrees that the IPCC model could be used in other areas to build consensus and provide authoritative scientific advice to policy-makers on matters of international concern particularly where concerted action at a global level is required.

12) The Government should make full use of scientific experience abroad, and include experts from abroad on advisory committees, where appropriate. This has rarely been the case in the past. (Paragraph 35)

31. The Government agrees it is important to obtain the best expertise from across the world. *Guidelines 2000* (paragraphs 13 & 29) states that consideration should be given where appropriate to inviting experts from outside the UK. While the UK does receive much advice from EU scientific advisory bodies, comprising experts from across the EU, the Government would like to see a greater involvement of such expertise in our own advisory systems and will consider how more might be done to attract such people.

13) We recommend that the OST ensure that Departments consult the Learned Bodies whenever establishing a new advisory body. (Paragraph 37)

32. Departments already consult Learned Bodies about appointments to many advisory committees. As the Committee notes, the Government's Interim Response to the Phillips Report contains a commitment to consider placing on a more formal basis the message about the need to consult the learned societies. The OST is considering this as an early subject for a CSA letter.

14) The Government must allow a reasonable time for outside bodies to respond to consultation. Furthermore, to demonstrate that the consultation has been genuine, we recommend that the Government adopt the practice of publishing a summary of the results of consultation. (Paragraph 38)

33. Agreed. The Cabinet Office's *Code of Practice on Written Consultation*, launched by the Prime Minister on 27 November 2000, sets the standards for public consultation documents issued by the UK government. It includes a requirement for a minimum consultation period of 12 weeks to allow adequate time for external bodies and individuals to respond. The Cabinet Office guidance says that any "... Decisions in the light of consultation should be made public promptly." The guidance makes clear that this should include a summary of views expressed and clear reasons for rejecting options that were not adopted.

15) Government should be aware that we will consider using our powers to insist on a memorandum from the Government responding in full to the recommendations made in reports by the Learned Bodies. (Paragraph 39)

34. The Government takes note.

16) The Government could also commission reports from the Learned Bodies, where appropriate. (Paragraph 40)

17) Involving the Learned Bodies more closely in the scientific advisory system would be a straightforward way of demonstrating its independence. (Paragraph 40)

35. The Government agrees there is scope for working more closely with Learned Bodies and, in appropriate cases, will explore with them whether they would welcome commissions along the lines the Committee suggests.

18) If advisory committees are not asked the right questions, important scientific information may never be brought to the Government's attention. ... All advisory committees should be allowed to operate more proactively, monitoring developments in scientific research in their field and alerting the Government to relevant change. (Paragraph 41)

36. The Government agrees. The importance of asking the right questions is specifically addressed in *Guidelines 2000*.³ These guidelines also recommend that proposed questions should be discussed with the experts themselves. The draft text of the proposed Code issued for the second round of consultation would require committees to ensure that they have mechanisms in place to monitor and report on new developments in science and technology.⁴

19) It is vital that research is adequately co-ordinated, and that any gaps in research needed to inform policy are identified and addressed, with funding made available. The research programme must do more than meet policymakers' current needs for information: it must try to anticipate the advice required in future years. (Paragraph 42)

37. The Government shares the view that research programmes could be made more strategic. The July 2000 White Paper *Excellence and Opportunity* confirmed that Departments would be preparing science and innovation strategies. These will be closely linked to departmental objectives, and should promote a much longer term and forward-looking approach to the research underpinning policymaking. They will also enable Departments to better co-ordinate their research programmes on crosscutting science issues, and to spot gaps and common interests.

38. The timing of publication of the final versions of these strategies has been affected in some cases by recent changes in departmental responsibilities. However it remains the intention that these strategies will be published as quickly as possible.

39. Promoting joined-up government on matters relating to science and technology is a high priority. The Government is currently looking at the feasibility and desirability of linking science and technology domains on departmental websites through a central "Science in Government" portal. The aim is that interested parties will be able to access science and technology information, such as departmental science and innovation strategies, through a single entry point. It is anticipated that such a facility would not only help to encourage the co-ordination required within Government but would also be useful to people outside Government.

³ *Guidelines 2000—Scientific Advice and Policy Making*, July 2000 (paras 16-17 "Ensuring the right questions are asked").

⁴ *Code of Practice for Scientific Advisory Committees: Draft for Second Round Consultation*, March 2001 (para 87).

40. The Chief Scientific Adviser to the Government is responsible for ensuring the overall quality of scientific advice, with a role in overseeing the proper co-ordination of research programmes between Departments and the Research Councils. As stated in its interim response to the report of the BSE inquiry ("the Phillips report")⁵, the Government recognises the need to keep these arrangements under review. The last major review was published in 1996⁶ and the Government now plans to look at it again.

20) It should be made clear in the terms of reference of advisory bodies that it is their role to look ahead and advise Departments of issues which may face policymakers in years ahead. (Paragraph 43)

41. The relevant provision in the proposed Code concerning the role of advisory committees in the early identification of issues has already been referred to in response to recommendation 18. Under the draft text prepared for the second round of consultation, Committees would also be expected to take into account horizon-scanning activities of other bodies including the Foresight programme.

21) The Government must take steps to ensure that there is sufficient scientific expertise within the civil service, so that Departments may be "intelligent customers" and have the capacity to interpret and understand the advice they receive. (Paragraph 44)

42. The Nicholson report on science and technology activities across Government⁷ recommended that Ministers needed to ensure that their departments had high quality people with scientific and technical backgrounds working centrally to help with policy formulation and decision making in areas where science and technology have a bearing. Such staff should be able to understand science issues, to evaluate advice, and to interpret scientific issues simply and clearly. This recommendation was accepted in the Government's response,⁸ which included a commitment for Departments to review present and future requirements and supply arrangements.

43. As the Committee notes, the need for Departments to retain sufficient expertise in-house was also highlighted in the Phillips report of the BSE inquiry. The inquiry found that Government should:

"... retain "in house" sufficient expertise to ensure that departments are able to identify where there is a need for advice, frame appropriate questions, understand and critically review the advice given, and act upon it in a sensible and proportionate manner."

44. The Government's commitment to carry out a review was again set out in its Interim Response to the Phillips report.

45. The review process is underway, and it is hoped to be able to reach conclusions in the autumn.

22) It is incumbent on advisory bodies to present their advice in a way which is clear and comprehensible, while identifying any uncertainty and dissent as well as their consensus view. (Paragraph 45)

⁵ "The BSE Inquiry" - Report by Lord Phillips of Worth Matravers, Mrs June Bridgeman CB and Professor Malcolm Ferguson-Smith FRS, October 2000, and the Government's Interim Response, February 2001.

⁶ "Review of the Inter-Relationships between the Science, Engineering and Technology Expenditure of Government Departments", 1996.

⁷ "Review of S&T Activity Across Government - Report by the Council for Science and Technology", July 1999, and the Government's Response, July 2000.

⁸ Government Implementation Plan in response to the CST's review of S&T activity across Government, Office of Science and Technology, July 2000.

23) We believe that the public is well able to understand uncertainties, if they are clearly presented. (Paragraph 47)

46. As the Committee has noted, these recommendations are very similar to some of Phillips 'lessons learned': for example "...advice should be in terms that can be understood by a layperson..." and "advice should identify the nature and extent of any uncertainty..." (Vol 1, para 1291, Phillips Report). In its Interim Response, the Government has already indicated its intention to accept these findings. The draft text for the second round of consultation on the new Code of Practice emphasised that a committee's advice should be in terms that can be understood by a layperson, and that the reasons for the advice are made clear, together with any assumptions that have been made and the nature and extent of any uncertainty. The proposed Code would also say that any significant diversity of opinion among the members of a committee should be accurately reflected in the committee's report.⁹

24) We welcome the Government's commitment to applying the precautionary principle where appropriate. ... Whether to apply the precautionary principle in a particular case is essentially a political decision, and rightly the responsibility of elected Ministers. While scientists can offer useful advice about the magnitude of the risks involved, public opinion plays a major part in persuading Government to apply – or not to apply – the precautionary principle. (Paragraph 48)

25) The Government must ensure that its response is proportionate to the potential threat. The Minister for Science, through the Chief Scientific Adviser, should ensure that the precautionary principle is properly understood, and applied where appropriate, across Government. (Paragraph 49)

47. The Government agrees that decisions on application of the precautionary principle should lie with Ministers. Its approach to the precautionary principle has been laid out in chapter 6 of the Government's Interim Response to the Phillips report.

48. The Government agrees the importance of a proportionate response. Application of the precautionary principle does not usually mean imposing a ban. Its purpose is to ensure that where uncertainty exists, decisions err on the side of caution and so seek to avoid serious damage if things go wrong, yet meet criteria such as proportionality and cost-effectiveness.

49. The Government does not however agree that it is appropriate for the Minister of Science to ensure proper understanding and application of the precautionary principle. There are a number of cross-departmental interests that need to be taken into account. These include the involvement of the Food Standards Agency in relation to the safety of food; the Department of Health on decisions involving other risks to human health; the Medical Devices Agency's actions following risk assessments for various medical implants; DEFRA's role in decisions on environmental risk; the Health and Safety Commission and Executive (HSC/E) whose mission is to ensure that occupational health and safety risks are properly controlled; and the Cabinet Office in central co-ordination on risk management. The Interdepartmental Liaison Group on Risk Assessment (ILGRA) is currently developing a cross-departmental approach to the application of the precautionary principle.

26) The Government must ensure that scientific advice is disseminated effectively amongst policymakers. (Paragraph 50)

50. The Government agrees with this recommendation, which, as the Committee has noted, was also emphasised by Phillips. As stated in its Interim Response, it is considering the need for any supplementary guidance on the internal handling of scientific advice by Departments.

⁹ *Code of Practice for Scientific Advisory Committees: Draft for Second Round Consultation*, March 2001 (paras 52 & 57).

Quality of and Confidence in Scientific Advice

27) The Government must offer clear channels for scientists of other disciplines to offer their alternative perspective. (Paragraph 52)

28) We repeat the recommendation made in our report on Climate Change, that clear and transparent channels should be available through which scientists who hold dissenting views can readily communicate their ideas to policymakers and can have confidence that they have been heard. It should be the clear responsibility of advisory committees to draw dissenting views to the attention of Government. (Paragraph 53)

51. The Government agrees with the general principle. The draft text for the second round of consultation on the proposed Code stated that “advice should normally be made public by the committee at the time it is given”.¹⁰ It also suggested that, “if peer review is not undertaken, publication of advice should be in sufficient detail to allow other experts to evaluate the committee’s judgement.”¹¹ The draft text also took the line that “members with a particular expertise have a responsibility to make the committee aware of the full range of opinion within the discipline”, and that committee Chairs “also have responsibility for ensuring that unorthodox and contrary scientific views are taken into account.”¹²

29) Government must ensure that dissident scientists are heard, but not give credence to those who, with media encouragement, are voicing unsubstantiated theories. (Paragraph 54)

52. There is an important balance to be struck. As the Committee recognises, the key is to be able to distinguish between genuine, but dissenting scientific voices, and those people voicing unsubstantiated theories under the guise of scientific fact or opinion, or which are taken as such by the audience. It is a basic part of a scientist’s job in weighing evidence to distinguish between the two. This distinction should be reflected in their advice to government.

30) There is no doubt that there has been a loss of public confidence in the scientific advisory system. ... Restoring public confidence in scientific advice is essential, but it will be a hard, and slow, process. (Paragraph 55)

53. The Government would agree that efforts should be made to improve the level of public confidence in the way in which Government uses scientific advice. The various initiatives underway are seen as an important element in achieving this.

31) We commend the very significant steps which Government is making to increase openness and transparency. (Paragraph 56)

32) Voluntary disclosure is not enough, if the public is to be convinced that the scientific advisory system is truly transparent. (Paragraph 57)

54. The Government is grateful for the Committee’s commendation of its efforts to increase openness and transparency. The proposed Code will make clear that committees should abide by the principles contained in the Freedom of Information Act 2000 on access to Government information. The Government believes that this, together with other provisions in the proposed Code, *Guidelines 2000*, and other associated guidance, such as the Cabinet Office *Model Code of Practice for Board Members of Advisory Non-Departmental Public Bodies* (1997), represent further significant steps.

¹⁰ Ibid. (para 60).

¹¹ Ibid. (para 85).

¹² Ibid. (paras 20, 17).

33) We recommend that there should be a website for the scientific advisory system, with direct links to every advisory committee. (Paragraph 57)

55. The idea of a central “Science in Government” entry point on the Internet has been raised in response to recommendation 19.

56. A facility of this kind could also be used to provide access to the websites of external bodies, such as scientific advisory committees. The Government would propose to take this forward as a second stage if the portal to departmental websites is successfully established, and subject to the agreement of the committees.

34) Many people do not have access to a computer and for them information published on the Internet will not be readily accessible. (Paragraph 57)

57. The Government agrees that there is a need to continue to cater for those who cannot access the Internet or who have difficulty in doing so. Very few if any government publications are published solely on the Internet, and hard copies are generally available for those who want them.

58. As regards publications by scientific advisory committees, the draft text for the second round of consultation on the Code of Practice dealt specifically with publication of documents and the need to consider how best to inform interested parties. The wording proposed is that “... When publication takes place to a website, the committee will need to decide when it may be appropriate to supplement this by a circulation of paper copies to relevant stakeholders, or by writing to them to draw their attention to the website.” The wording would also emphasise that publication policies should be “based on principles of openness and transparency.”¹³

35) We endorse the recommendation of the House of Lords Select Committee that the Press Complaints Commission should adopt and promulgate the Royal Society’s guidelines for editors. (Paragraph 58)

59. The Government agrees. In its response to the House of Lords Science and Technology Select Committee’s report on Science and Society, the Government supported the Royal Society’s new guidelines for editors and for scientists working with the media and commended them to the media and the science communities. Following publication of the Science and Society report, discussions took place on this issue between the Press Complaints Commission, the Royal Society and the Social Issues Research Centre. Subsequently, SIRC and the Royal Institution produced for consultation a set of ‘Guidelines on Health and Science Communication’. The guidelines emphasised the importance of accurate and responsible communication of scientific developments, health risks and medical advances and include a basic ‘rule-of-thumb’ test to help both scientists and journalists judge the potential effects of their reports. The Press Complaints Commission has welcomed these Guidelines as a constructive and positive contribution in this area and has reiterated that it would welcome any examples of inaccurate reporting being brought to its attention.

60. The Government welcomes the intention of the Royal Society and SIRC to produce a single set of guidelines for scientists and the media, and hopes that they will be adopted and promulgated by the media and science communities.

36) Scientists must learn to communicate better and to present their case to the media. (Paragraph 59)

61. The Government agrees that it is important to have the scientific case properly presented in the media. Universities and Research Councils already offer media training for scientists and

¹³ *Ibid.* (para 54).

postgraduate students, and the British Association runs a successful Media Fellowship scheme (with some financial support from the Office of Science and Technology) which offers short placements for scientists in a media organisation. However, a recent survey on the role of scientists in public debate, conducted by the Wellcome Trust and supported by the Office of Science and Technology, found that nearly seven out of ten scientists are either unaware of the support their funders provide to help them communicate with the public, or they believe that no assistance is available to help them. The Government will encourage all scientists to take advantage of the support available to them including, where available, media training.

62. Following its recent review of research funding, the Higher Education Funding Council for England (HEFCE) is working to improve standards in the provision of research training, including broader personal and transferable (including communication) skills. The policy will be developed in consultation with the Research Councils, institutions and other parties.

The Scientific Advisory System

37) The advisory committees do an enormous amount of valuable work, for little or no reward. We firmly believe that the advice which they give to Government is for the most part of a very high quality. Significant improvements have been made in recent years in the way they operate. Implementation of the new Code of Practice will improve matters further. (Paragraph 60)

63. The Government echoes the Committee's endorsement of the work carried out by advisory committees and welcomes the Committee's support for the measures that have been taken to improve the way in which they operate, including the new Code of Practice.

38) Whatever the role of the advisory body, it must be clear that responsibility for decision-making lies with the Department, and that accountability for these decisions lies with Ministers. Advisory bodies must not be used as a device by Ministers to shirk difficult policy decisions. (Paragraph 62)

64. The Government agrees that advisory bodies should not be used as a means of shirking difficult policy decisions. However there will be circumstances where the scientists on the relevant advisory committee are better placed than anyone else to identify the full range of available policy options. There is a distinction between asking the committee to assist in the process of identifying and assessing options, and asking a committee to advise on which policy option the Government should adopt. This distinction was reflected in the draft text for the second round of consultation on the proposed Code of Practice.¹⁴ The Government acknowledges that responsibility for the policy decision rests with Ministers.

39) We welcome the commitment by the Government to improve both risk assessment and risk management procedures. (Paragraph 63)

65. The Government's Interim Response to the BSE Inquiry/Phillips Report provided a basis for consultation and discussion on proposals to improve Government's handling of risk. These include clarity about responsibility and accountability for risk management decisions, better contingency planning, ways of communicating risk where there is uncertainty in the assessment, and scope for shared guidance and training for officials. These areas have been explored further at a cross-Whitehall risk seminar that will contribute to the development of the final response. In addition, ILGRA, which reports to Ministers, continues to promote greater coherence and consistency in departmental approaches to the assessment, management and communication of risk, and provides a forum for exchanging good practice.

¹⁴ *Ibid.* (para 8).

40) The Guidelines must stress the importance of including all relevant disciplines on advisory committees, and the Learned Bodies could give invaluable advice here. (Paragraph 64)

66. Government recognises the importance of having the best possible scientific advice and *Guidelines 2000* makes clear that this means that “all relevant scientific disciplines needed to address the problem should be assembled.” The Guidelines also state that Departments need to ensure that they draw on a sufficiently wide range of the best expert sources including learned societies and professional bodies.¹⁵ The Guidelines recognise that Departments may not fully appreciate the balance of expertise required until after it has been discussed with those appointed to the committee. The draft text of the proposed Code would take this a step further, by saying that committee members should have regular opportunities to review its membership and advise Departments of any gaps arising either from a change in the committee’s role and remit or consideration of new issues.

41) We recommend that the Government ensure that there is consistency and openness in the remuneration of members of scientific advisory bodies. (Paragraph 66)

67. The Government agrees that there should be openness about the remuneration of members of scientific advisory bodies. All scientific advisory bodies which are non-departmental public bodies are included in the annual publication *Public Bodies* which lists the remuneration of all chairs and members. The rate of pay of those on advisory bodies is handled at the departmental level and the Government believes this is the best way to ensure value for money. For those bodies which are NDPBs, Departments need to be able to justify the level of pay and to demonstrate that it is comparable to that paid for similar responsibilities in the public sector. The Government does not believe that it would be helpful to introduce a more rigid or detailed cross-government pay mechanism for such bodies. However, it agrees with Lord Phillips’ recommendation that where the workload is considerable, it is reasonable that where necessary, chairs and members who are not public servants should be remunerated and will consider further how this might best be achieved. Job weights and responsibilities vary considerably but the Government will seek to ensure that there is consistency of remuneration where meaningful comparisons can be made.

42) We recommend that the Research Assessment Exercise and the Teaching Quality Assessment should take account of service on government advisory committees. It is vital that the advisory system should be able to involve scientists during their active working life, and not be dependent on those who are retired. (Paragraph 67)

68. The Research Assessment Exercise (RAE) already takes account of service on Government advisory committees to some extent. It is up to individual RAE subject panels to specify which indicators of peer esteem they will accept, but these include, for example, acting as advisers on policy or practice issues to Government or voluntary bodies; contributions to the academic or public good; or research related service on or for national or international bodies or committees. The Quality Assurance Agency, in appointing assessors for subject review, regards such experience as a positive asset since it indicates a breadth of experience and knowledge. However, it is important that the role of academics on Government advisory committees must be balanced with the broader aims of higher education. It would not be desirable to alter either the RAE or subject review to reward these activities if this meant diluting the primary purposes of these exercises, which is to assess the quality of research and teaching.

43) It should be clear that the role of the lay member is to bring an alternative perspective to the committee and not to represent an interest group. ... The Guidelines should clarify that “lay members” can include scientists of other disciplines. (Paragraph 69)

¹⁵ *Guidelines 2000—Scientific Advice and Policy Making*, July 2000 (paras 11&12).

44) We recommend that the norm be for at least two lay members (depending on the size of the committee) to be appointed to scientific advisory committees. The Guidelines should make this explicit. (Paragraph 70)

69. The Government accepts that subject to the size of the committee, it is often useful to have more than one lay member. However, such decisions need to be made with regard to the particular facts of the case in hand, and in particular the size of the committee, and the balance of the membership as a whole.

70. *Guidelines 2000* states that “experts from other disciplines, not necessarily scientific, should also be invited to contribute, to ensure that the evidence is subjected to a sufficiently questioning review from a wide-ranging set of viewpoints.” Frequently an important function of a lay member can be to approach issues from a non-scientific perspective. It is difficult to see how this might be achieved by other scientists – even those from a different discipline.

71. In most cases members of scientific advisory committees are appointed on merit as individuals and not as representatives of a particular interest group. However, some members, including lay members, may be appointed for their knowledge and expertise in relation to particular sectors of society or stakeholder groups. The draft text for the second round of consultation on the proposed Code emphasised that lay members should be clear about the capacity in which they have been appointed, for example, whether as independent members, or to cover the interests of stakeholder groups.¹⁶

72. The text for the proposed Code issued for the second round of consultation would provide that “members should regard themselves as free to question and comment on the information provided or the views expressed by any other members, notwithstanding that the views or information do not relate to their own area of expertise.”¹⁷ This would give scope for the “lay” input from other scientists that the Committee identifies.

45) While an interest should not be a bar to membership, there should be clear guidelines for disclosure. (Paragraph 72)

73. The Government agrees on the need for clear guidelines. For NDPBs, the Commissioner for Public Appointments’ Guidance requires possible conflicts of interest to be explored fully at the time of recruitment and the Government’s approach is set out in *Guidance on Codes of Practice for Board Members of Public Bodies*. The Government is giving further consideration to this area, and the Committee is referred to paragraphs 109 and 110 of the Interim Response.

46) We recommend that the revised Guidelines require all advisory committees to publish registers of members’ interests. (Paragraph 72)

74. NDPBs are already required to maintain a register of members’ interests (see the Government’s response to recommendation 7 above). *Guidelines 2000* is intended to be aimed at Government Departments. While it covers the issue of disclosure of experts’ interests, the responsibility for an advisory committee’s publications would normally rest with the committee itself, and is therefore covered more appropriately in the text of the proposed Code.

75. The Government agrees that advisory committees should publish registers of members’ interests, subject, in rare circumstances, to considerations of the personal safety and security of members. The draft text of the proposed Code would emphasise the need for committees to operate from a presumption of openness and states that details of members’ interests should be published in the committee’s annual report.

¹⁶ *Code of Practice for Scientific Advisory Committees: Draft for Second Round Consultation*, March 2001 (para 20).

¹⁷ *Ibid.* (para 24).

47) The revised Guidelines should make clear that the requirement to declare interests extends to those in all sectors. (Paragraph 73)

76. The Cabinet Office has overall responsibility for the Government's general policy approach to handling conflicts of interest for Non-Departmental Public Bodies (NDPBs), including scientific advisory committees. The Cabinet Office *Model Code of Practice for Board Members of Advisory Non-Departmental Public Bodies* (1997) is a key document whose purpose is to act as a basis on which NDPBs can develop their own Codes.

77. The Model Code says that "All board members should therefore declare any personal or business interest which may be *perceived* (by a reasonable member of the public) to influence their judgement. This should include as a minimum, personal direct and indirect pecuniary interests, and should normally also include, such interests of close family members and of people living in the same household."¹⁸

78. The guidance notes on the Model Code enlarge on this and suggest "that Boards should consider whether registers of interests should also include non-pecuniary interests of members and close family members which relate closely to the body's activities".

79. There are a number of other publicly available Government documents, such as The Commissioner for Public Appointments' Guidance on Appointments to Public Bodies, that provide further guidance on the way conflicts of interest should be handled for members of NDPBs. Considerable effort has gone into keeping such guidance consistent across Government.

80. *Guidelines 2000* makes clear that experts on scientific advisory committees have an obligation to declare any private interests relating to their public duties.

81. The draft text for the proposed Code would require members of all scientific advisory committees, whether formally constituted as NDPBs or not, to have regard to this body of guidance.

48) We welcome the Government's commitment to a policy of appointments being limited to five years, and being renewable only once. (Paragraph 74)

82. The commitment referred to by the Committee is one relating to the Honorary Medical Advisory Panels in DEFRA. It did not refer to scientific advisory committees more generally, nor to all non-departmental public bodies. For NDPBs the principles on length of appointment and re-appointment to the same post are laid down by the Commissioner for Public Appointments. For other appointments the Government believes that appointments should be handled so as to allow both continuity and fresh perspectives, taking into account the particular nature of the scientific field and the available pool of expertise. That said however, the Government believes that the general principle enunciated by the Committee is a good one, and it will bear it in mind when developing policy in this area.

49) The revised Guidelines should make clear that Departments should ensure that advisory committees do not experience large changes of membership at one time. (Paragraph 74)

83. The Government accepts the principle that large changes of membership should be avoided where possible. Paragraph 13 of the draft text for the proposed Code is as follows:

¹⁸ Indirect pecuniary interests arise from connections with bodies which have a direct pecuniary interest or from being a business partner of, or being employed by, a person with such an interest. Non-pecuniary interests include those arising from membership of clubs and other organisation. Close family members include personal partners, parents, children (adults and minor), brothers, sisters and the personal partners of any of these.

“... Where scientific advisory committees are established to cover issues that are likely to be long-lived, Departments will need to investigate whether the committee should be formally established as a Non Departmental Public Body (NDPB). All appointments to such committees should comply with the guidelines issued by the Office of the Commissioner for Public Appointments (OCPA). Chairs, members and secretariats should, regularly review the phasing and length of appointments to ensure both continuity and fresh perspectives and report to sponsoring departments any difficulties they foresee. Such reviews of membership and appointments should take into account the particular nature of the scientific field and the available pool of expertise.”

This provision recognises that Departments are under certain obligations to look at the status of long-lived committees, but also places a responsibility on the Committee itself to look at such issues.

50) It is essential that the staff of an advisory committee appreciate that they work for the committee and not for the Department. (Paragraph 75)

84. The Government agrees. The Committee recognises the Government has addressed this issue in the Interim Response. It is also covered in the draft text of the proposed Code of Practice, emphasising that the primary function of the secretariat is to support the committee and to respect its independent role.¹⁹

51) We recommend that the Government ask each advisory committee to report on the adequacy of its resources, and to make a case for an increase, if they think this necessary. Advisory committees must have the resources they require to operate effectively. (Paragraph 76)

85. The Government agrees that it is important that advisory committees should regularly consider whether they have adequate resources to carry out their tasks and have the opportunity to put the case for an increase to the Government, when necessary. This will be covered in the proposed Code of Practice.

52) We recommend that the Government carry out a review of the advisory committee network and thereafter establish a system of five-yearly reviews for individual committees. (Paragraph 77)

86. Departments are responsible for reviewing their own advisory committee networks, taking account of relevant responsibilities of and advice to other departments. OST has an overview. As noted above, the proposed Code of Practice would say that where committees are likely to be long-lived, Departments should investigate whether they should be formally established as a Non Departmental Public Body (NDPB).²⁰ All NDPBs are automatically subject to a quinquennial review.

53) It is too soon to say how the research base, or the scientific advisory system, has been affected by the moves to encourage commercialisation in the Public Sector Research Establishments. (Paragraph 78)

87. The Government agrees with this observation. In particular it will monitor the schemes that have received their award. Evaluation of the scheme as a whole is likely to take place some two years after receipt of awards.

¹⁹ *Code of Practice for Scientific Advisory Committees: Draft for Second Round Consultation*, March 2001 (paras 28-33, “Role of the Secretariat ”)

²⁰ *Ibid.* (para 16).

54) The Government must avoid dependence on single sources of advice. (Paragraph 79)

88. A single advisory body, whether a research establishment or a committee, may constitute a single source of advice, but reflect the views of many different scientific and non-scientific disciplines which have contributed to that advice. If the recommendation implies that the Government must avoid over-reliance on the advice of a particular individual or narrow scientific interest then the Government would agree. But if an advisory body has been constituted so that it can reflect the full range of relevant scientific and non-scientific views, then provided the body is capable of operating in this way, there should be no reason why it cannot function as the Government's principal advisory body on the issues concerned.

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